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Interpretation-7

29 May 1956

MEMORANDUM FOR: Chief, Finance Division

SUBJECT: Claim for Shipment of Automobile - [REDACTED] 25X1A9a

REFERENCE: Acting Chief, FK, Memorandum to Chief, Finance Division, dated 13 April 1956

1. The reference re-submitted the claim "for further adjudication," presumably of the denial indicated in the memorandum from this Office to the Finance Division dated 2 December 1954.

2. This has been discussed personally with [REDACTED] and we pointed out our difficulty in finding appropriate authorization for reimbursement for transportation expenses of his personal vehicle shipped to the [REDACTED] at the time that he was employed with the [REDACTED] there. In his mind he has no doubt that the authorization from the DCI of 26 March 1953 "to transport, at government expense, a personal automobile" is essentially retroactive in effect. In the absence of some clear indication in the record that this was the intent at the time, we cannot agree. Even were this intent clear, it would be very questionable whether such reimbursement would be appropriate in the absence of a justification directly related to operational purposes.

3. He contends that security was the reason the car was not sold at the time his status with us changed from contract to staff. He stated that, in his best judgment and after discussion [REDACTED] as far as he recalls, concurred in his decision, the car was not sold at the time of his interim return to the United States because he wished [REDACTED]

[REDACTED] claim that the car was retained for official use. He pointed out that the failure to sell the car at the time of his interim return ultimately resulted in some financial loss to him as the result of the decreased market value. We have no reason to dispute any of these statements but unfortunately we cannot avoid the conclusion that they are irrelevant. We pointed out to [REDACTED] that the authority of the DCI was present and prospective and while there is no question that reimbursement would have been perfectly proper for an expense incurred on or after that date, there appears to be nothing to justify the reimbursement of expense which was purely personal in nature at the time it was paid and which

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was then completely unrelated to any Agency objective. As we promised we would do, we have given this further consideration, but we fail to find any additional facts that change the conclusion we reached in our previous memorandum of 2 December 1954.

25X1A

4. A copy of this memorandum is provided FE/3 in order that [REDACTED] may be advised by them of our decision.

25X1A9a

[REDACTED]  
Assistant General Counsel

cc: FE/3

OGC:CWP:mz  
Distribution:  
Subject ✓  
Signer  
OGC Chrono

Attachments (to orig.)